

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION**

IN RE:	§	Chapter 11
	§	
EASTERN LIVESTOCK CO., LLC,	§	Case No. 10-93904-BHL-11
	§	
Debtor.	§	Hon. Basil H. Lorch III
<hr/>		
JAMES A. KNAUER, CHAPTER 11	§	
TRUSTEE OF EASTERN LIVESTOCK	§	
CO., LLC,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Adversary Proceeding No. 12-59011
	§	
DE MAIO FARMS & RANCHES, INC.	§	
a/k/a DEMAIO LAND AND CATTLE,	§	
	§	
Defendant.	§	

**DEFENDANT'S CROSS-NOTICE OF DEPOSITION OF JAMES EDWARD EDENS, IV**

TO: Plaintiff, James A . Knauer, Chapter 11 Trustee of Eastern Livestock Co., LLC by and through Shawna Meyer Eikenberry (Shawna.eikenberry@faegreBD.com), FAEGRE BAKER DANIELS, LLP, 300 N. Meridian Street, Suite 2700, Indianapolis, IN 46204-1782; Fax: (317) 237-1000 and Wendy W. Ponader (wendy.ponader@faegreBD.com), FAEGRE BAKER DANIELS, LLP, 600 E. 96<sup>th</sup> Street, Suite 600, Indianapolis, IN 46240; Fax: (317) 569-4800.

James Edward Edens, IV, by and through William K. Flynn, Strauss Troy Co., LPA, 150 E. Fourth Street, Cincinnati, OH 45202-4018 (wkflynn@strausstroy.com); Ben T. Caughey, Ice Miller, LLP, One American Square, Suite 2900, Indianapolis, IN 46282-0200 (ben.caughey@icemiller.com); W. Scott Newbern, 2982 East Giverny, Tallahassee, FL 32309 (wsnewbern@msn.com).

PLEASE TAKE NOTICE that, pursuant to FED. R. CIV. P. 30 and 45 and FED. R. BANKR. P. 7030 and 9016, Defendant de Maio Farms & Ranches, Inc. a/k/a de Maio Land and Cattle, by counsel, will take the deposition of James Edward "Ed" Edens, IV beginning at 9:00 a.m. EDT on December 20, 2013 at the offices of Strauss Troy Co., LPA, The Federal Reserve Building, 150 East Fourth Street, Cincinnati, Ohio 45202, and thereafter from day to day as continued,

before a court reporter authorized to administer oaths. The deposition will be conducted in accordance with the July 3, 2012 Order Establishing Protocols [Doc. 1229 in Case 10-93904-BHL-11] and therefore, the deposition may be introduced in this Adversary Proceeding No. 12-59011.

You are invited to appear and take part in the examination of Mr. Edens. By Trustee's Notice of Deposition of James Edward Edens, IV noticed by the Trustee [Doc. 2419 in Case 10-93904-BHL-11], it is anticipated that the Trustee's counsel and counsel for Fifth Third Bank will examine the witness beyond the seven hours initially allotted for this deposition. In that event, the deposition will resume, by prior agreement of counsel and the witness, on a mutually convenient date from January 27 to 31 at the same location.

The deposition may be recorded on videotape.

Respectfully submitted,

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/s/ John Lovell

John H. Lovell

ATTORNEYS FOR DEFENDANT DE MAIO FARMS &  
RANCHES, INC.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document filed electronically on December 6, 2013. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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